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Attorney Docket P1110P1  
PATENT

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**CERTIFICATION UNDER 37 CFR 1.10**

EM 168884188 US: Express Mail Number

June 12, 1998: Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

  
Janet Tse

Janet Tse

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**BOX PATENT APPLICATION**  
Assistant Commissioner of Patents  
Washington, D.C. 20231

**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Avi J. Ashkenazi  
Kevin P. Baker  
Anan Chuntharapai  
Austin Gurney  
Kyung Jin Kim  
William I. Wood

Title: Apo-2DcR

**1. Type of Application**

This application is for an original, non-provisional application.

This is a non-provisional application claiming priority to provisional application no. 60/049,911, filed 18 June 1997, the entire disclosure of which is hereby incorporated by reference.

This is a [ ] continuation-in-part [ ] continuation [ ] divisional application claiming priority to application Serial Number\_\_\_\_\_, filed\_\_\_\_\_, the entire disclosure of which is hereby incorporated by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b)  
(Non-provisional )**

106 pages of specification  
5 pages of claims  
1 page(s) of abstract

18 sheet(s) of drawings  
[X] formal [] informal

**3. Declaration or Oath**

*(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*  
X An executed declaration of the inventor(s) [] is enclosed [X] will follow.

*(for Cont./Div. where inventorship is the same or inventor(s) being deleted)*  
— A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

*(for Cont./Div. where inventor(s) being deleted)*  
— A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

**4. Assignment**

*(for new and CIP applications)*  
X An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [X] will follow.

*(for cont./div.)*  
— The prior application is assigned of record to Genentech, Inc.

**5. Amendments      (for continuation and divisional applications)**

— Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

— A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

**Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119**

— Amend the specification by inserting before the first line the sentence:

--This is a

— non-provisional application  
— continuation  
— divisional  
— continuation-in-part

of co-pending application(s)

Serial No.        filed on       , which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120. --

       International Application        filed on        which designated the U.S., which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120.--

       provisional application No.        filed       , the entire disclosure of which is hereby incorporated by reference and to which application(s) priority is claimed under 35 USC §119.--.

#### 6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

| CLAIMS FOR FEE CALCULATION          |    |              |    |            |                             |
|-------------------------------------|----|--------------|----|------------|-----------------------------|
| Number Filed                        |    | Number Extra |    | Rate       | Basic Fee<br>37 CFR 1.16(a) |
|                                     |    |              |    |            | \$790.00                    |
| Total Claims                        | 58 | - 20 =       | 38 | X \$22.00  | \$836.00                    |
| Independent Claims                  | 31 | - 3 =        | 28 | X \$82.00  | \$2,296.00                  |
| Multiple dependent claim(s), if any |    |              |    | + \$270.00 | \$0.00                      |
| Filing Fee Calculation              |    |              |    |            | \$3,922.00                  |

#### 7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$3,922. A duplicate copy of this transmittal is enclosed.

#### 8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

#### 9. Additional Papers Enclosed

- Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- A new Power of Attorney or authorization of agent.
- Other:

#### 10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

\_\_\_\_\_  
A petition, fee and/or response has been filed to extend the term in the pending  
prior application until  
\_\_\_\_\_  
A copy of the petition for extension of time in the *prior* application is attached.

11. Correspondence Address:

Address all future communications to:

GENENTECH, INC.  
Attn: Diane L. Marschang  
1 DNA Way  
South San Francisco, CA 94080-4990  
(650) 225-5416

Respectfully submitted,  
GENENTECH, INC.

Date: June 12, 1998

By: Diane L. Marschang  
Diane L. Marschang  
Reg. No. 35,600

1 DNA Way  
So. San Francisco, CA 94080-4990  
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Express Mail No. EM 168884188 US  
Mailed 12 June 1998  
Patent Docket P1110P1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--|--|
| In re Application of<br><br>Ashkenazi et al.<br><br>Serial No.: To be assigned<br><br>Filed: 12 June 1998<br><br>For: Apo-2DcR | Group Art Unit: To be assigned<br><br>Examiner: To be assigned |
|--|--|

**CERTIFICATE RE: SEQUENCE LISTING**

**UNDER 37 CFR § 1.821(f)**

BOX SEQUENCE

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

I hereby state that the Sequence Listing submitted herewith is submitted in paper copy and a computer-readable diskette, and that the content of the paper and computer readable copies are the same.

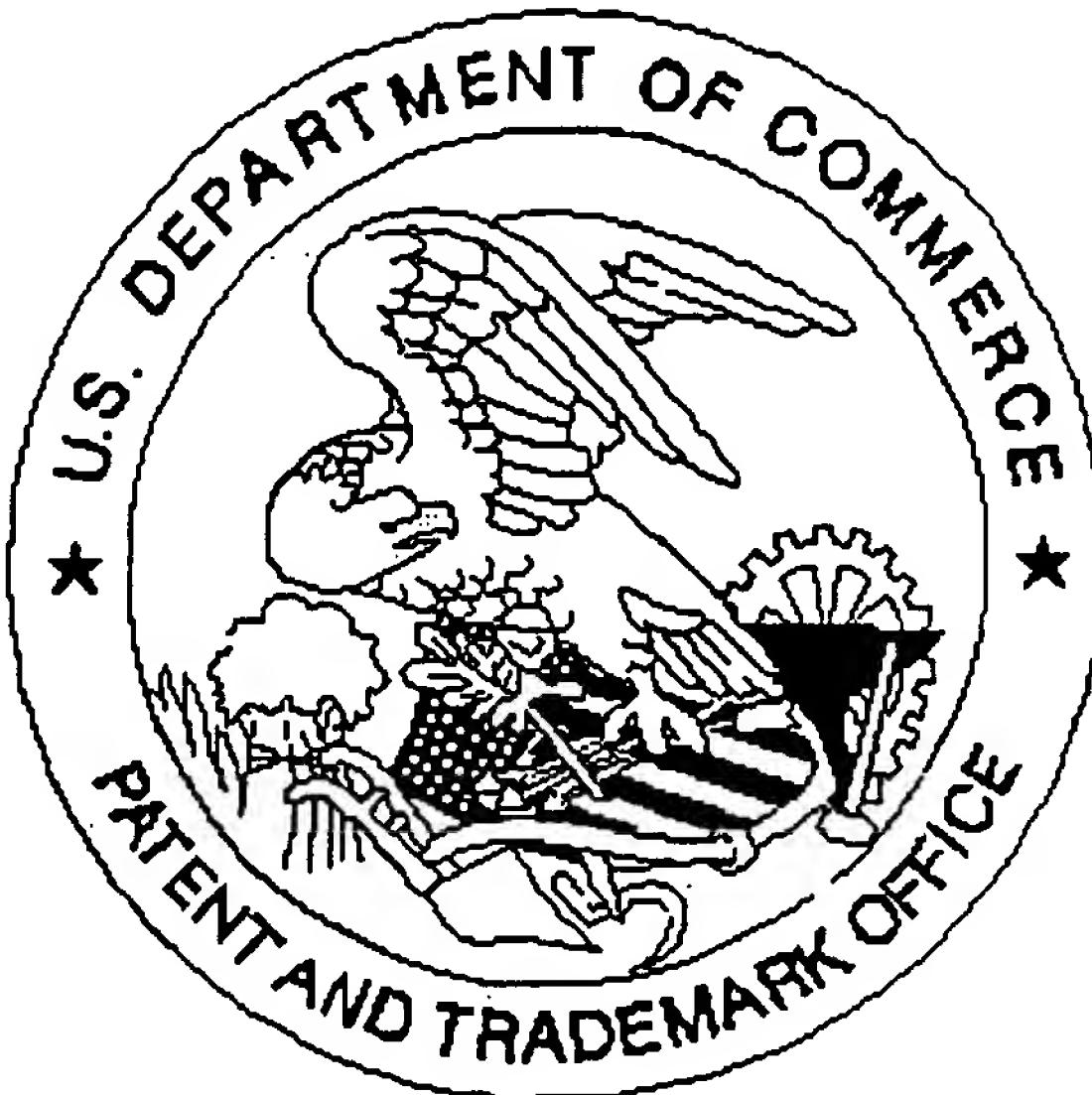
Respectfully submitted,  
GENENTECH, INC.

Date: June 12, 1998  
By: Diane L. Marschang  
Diane L. Marschang  
Reg. No. 35,600

1 DNA Way  
So. San Francisco, CA 94080-4990  
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# United States Patent & Trademark Office

Office of Initial Patent Examination -- Scanning Division



## Application deficiencies found during scanning:

1. Application papers are not suitable for scanning and are not in compliance with 37 CFR 1.52 because:
  - All sheets must be the same size and either A4 (21 cm x 29.7 cm) or 8-1/2" x 11".  
Pages \_\_\_\_\_ do not meet these requirements.
  - Papers are not flexible, strong, smooth, non-shiny, durable, and white.
  - Papers are not typewritten or mechanically printed in permanent ink on one side.
  - Papers contain improper margins. Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4").
  - Papers contain hand lettering.
2. Drawings are not in compliance and were not scanned because:
  - The drawings or copy of drawings are not suitable for electronic reproduction.
  - All drawings sheets are not the same size. Pages must be either A4 (21 cm x 29.7 cm) or 8-1/2" x 11".
  - Each sheet must include a top and left margin of at least 2.5 cm (1"), a right margin of at least 1.5 cm (9/16") and a bottom margin of at least 1.0 cm (3/8").
3. Page(s) \_\_\_\_\_ are not of sufficient clarity, contrast and quality for electronic reproduction.
4. Page(s) \_\_\_\_\_ are missing.
5. OTHER: NO DECLARATION